

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

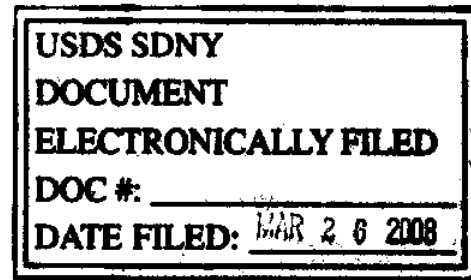
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Phat Fashions, LLC,

Plaintiff / Counter Defendant,

- against -

Tornado Imports (Canada), Inc.,

Defendant /Counter Claimant.
-----x



07 Civ. 3278 (PAC)
ORDER OF DISCONTINUANCE

HONORABLE PAUL A. CROTTY, United States District Judge:

The Court having been advised that all claims asserted herein have been settled¹, it is,

ORDERED, that the above-entitled action be and hereby is discontinued, without costs to either party, subject to reopening should the settlement not be consummated within thirty (30) days of the date hereof. The Court will sign a Stipulation of Dismissal upon receipt from either party. In light of the settlement, the March 27, 2008 Pre-Trial Conference is cancelled.

Dated: New York, New York
March 26, 2008

SO ORDERED

A handwritten signature in black ink, appearing to read "Paul A. Crotty", written over a horizontal line.

PAUL A. CROTTY
United States District Judge

¹ See attached letter dated March 25, 2008 from Philip R. Hoffman.

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March 25, 2008

VIA FAXHonorable Paul A. Crotty
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 735
New York, New York 10007Re: **Phat Fashions LLC v. Tornado Imports (Canada), Inc., 07 Civ. 3278 (PAC)**

Dear Judge Crotty:

I am pleased to report on behalf of all counsel that the parties have reached a settlement which will end the litigation. The parties are in the process of finalizing a Settlement Agreement and expect that a Stipulation of Dismissal will be filed shortly thereafter, likely next week. For this reason, we respectfully request that the Pre-Trial Conference scheduled for March 27, 2008 at 3 p.m. be cancelled.

Respectfully submitted,

Philip R. Hoffman

cc: James A. Beha II, Esq. (via e-mail)